

Message Text

CONFIDENTIAL

PAGE 01 DUBAN 00661 111655Z
ACTION AF-10

INFO OCT-01 IO-13 ISO-00 CIAE-00 DODE-00 PM-05 H-01
INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02
SS-15 USIA-06 DHA-05 /075 W
-----039646 111859Z /50

R 111200Z OCT 77
FM AMCONSUL DURBAN
TO SECSTATE WASHDC 2688
INFO USMISSION USUN NEW YORK
USMISSION GENEVA
AMCONSUL CAPE TOWN
AMCONSUL JOHANNESBURG

C O N F I D E N T I A L DUBAN 0661

HW REPEAT OF DURBAN 0661, DATED 030900Z OCT 77 SENT ACTION
PRETORIA, BEING REPEATED FOR ACTION SECSTATE AND INFO
ALL OTHERS
QUOTE
C O N F I D E N T I A L DUBAN 0661

EO 11652: XGDS-2
TAGS: PINT, SHUM, SF
SUBJ: HAFEEJEE DEATH IN DETENTION CASE. FAMILY GIVES
PHOTOGRAPHS TO CONGEN

REF: A. DURBAN 526, B. DURBAN 540 C. 76 DURBAN 561

1. SUMMARY: YUSUF HAFEEJEE, BROTHER OF DURBAN DENTIST HOSEN
HAFEEJEE WHO DIED IN DETENTION AUGUST 4, (REF A) HAS GIVEN US
PHOTOGRAPHS OF BODY, LETTER ADDRESSED TO AMBASSADOR YOUNG, AND
FURTHER DETAILS ON BROTHER'S ACTIVITIES BEFORE DEATH AND POLICE
ACTIONS AFTER DEATH. PHOTOGRAPHS AND LETTER BEING SENT TO
DEPARTMENT. END SUMMARY.

2. YUSUF HAFEEJEE, BROTHER OF A DURBAN DENTIST HOSEN HAFEEJEE
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 DUBAN 00661 111655Z

WHO DIED IN DETENTION AUGUST 4 AFTER BEING ARRESTED PREVIOUS
DAY UNDER THE CRIMINAL PROCEDURES ACT ON A PENDING CHARGE UNDER
THE TERRORISM ACT (REF A), GAVE CONOFF SEPTEMBER 29 SERIES
OF EIGHTEEN COLOR PHOTOGRAPHS OF BODY, A LETTER TO AMBASSADOR
YOUNG, AND FURTHER INFORMATION CONCERNING ACTIONS OF HIS
BROTHER AND POLICE BEFORE AND AFTER DEATH. HE REQUESTED THAT
THE POST-AUTOPSY PHOTOGRAPHS, WHICH ALLEGEDLY WERE TAKEN

APPROXIMATELY TWELVE HOURS AFTER DEATH AND WHICH SHOW CONSIDERABLE NUMBER OF BRUISES AND ABRASIONS OVER ENTIRE BODY (REF B), BE FORWARDED TO DEPARTMENT FOR APPROPRIATE ACTION. HAFEEJEE SAID HE WAS NEITHER ABLE TO HAVE PHOTOGRAPHS PUBLISHED IN SOUTH AFRICA NOR IN A FINANCIAL POSITION TO INSTITUTE A PRIVATE SUIT AGAINST THE S.A. POLICE ON CHARGES OF ASSAULT IN THE EVENT THE INQUEST (WHICH WILL PROBABLY NOT BE HELD BEFORE NOVEMBER) ABSOLVES THE POLICE OF BLAME AND DECLARES SUICIDE TO BE THE CAUSE OF DEATH. HE SAID HE HAD COME TO THE CONGEN TO REQUEST THAT WE USE WHATEVER MEANS WE HAD AVAILABLE TO PUBLICIZE THE CASE, INCLUDING PUBLISHING OF PHOTOGRAPHS. WE CANNOT BE CERTAIN IF PHOTOS ARE OF HOOSSEN OR IF THEY HAVE BEEN RETOUCED, BUT AFTER CONVERSATIONS WITH YUSUF WE BELIEVE HE IS SINCERE AND WE HAVE NO REASON TO DOUBT HIS STORY.

3. HAFEEJEE HAD ORIGINALLY CALLED CONGEN DURING AMBASSADOR YOUNG'S LATEST VISIT REQUESTING APPOINTMENT TO DISCUSS CASE, AND WAS TOLD TO VISIT CONGEN AT EARLIEST OPPORTUNITY. DURING DISCUSSIONS SEPTEMBER 28 HE ALSO GAVE CONOFF AN UNSEALED ENVELOPE CONTAINING LETTER TO AMBASSADOR YOUNG ABOUT CASE. TEXT OF LETTER, WHICH IS BEING FORWARDED WITH PHOTOS TO DEPARTMENT, FOLLOWS:

QUOTE DEAR AMBASSADOR YOUNG,

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 DURBAN 00661 111655Z

ON 3RD AUGUST 1977, MY YOUNGEST BROTHER, DR. HOOSSEN MIA HAFEEJEE, ALLEGEDLY COMMITTED SUICIDE BY HANGING HIMSELF WITH HIS TROUSERS TIED TO A BAR ON THE CELL DOOR, THE BAR BEING APPROXIMATELY FOUR AND ONE HALF FEET TO FIVE FEET FROM THE FLOOR. TO US MUSLIMS SUICIDE IS THE MOST ABHORRANT FORM OF DEATH, HENCE MY DOUBT ON THE TRUTH OF THE POLICE ALLEGATION. UPON SEEING THE LARGE NUMBER OF BRUISES AND ABRASIONS (TORTURE MARKS) ON THE BODY, MY DOUBT WAS CONFIRMED, AND I AM CERTAIN THAT AFTER YOU EXAMINE THE ENCLOSED PHOTOGRAPHS OF THE BODY, YOU ALSO WILL BE CONVINCED OF THE FACT THAT MY BROTHER WAS BRUTALLY TORTURED WHILE IN POLICE CUSTODY. OUR CALLS FOR A JUDICIAL COMMISSION OF ENQUIRY INTO DEATHS IN DETENTION HAVE FALLEN ON DEAF EARS. BESIDES BEING VOTE-LESS, WE ARE SUBJECTED TO SECURITY POLICE HARASSMENT AND INTIMIDATION, AND EVEN TO THREATS OF PHYSICAL VIOLENCE IF WE CONTINUE TRYING TO SOLVE THE MYSTERY SURROUNDING MY BROTHERS DETENTION AND DEATH.

I AM THEREFORE APPEALING TO YOU FOR HELP. YOUR SUPPORT, AND THE SUPPORT OF OTHER INFLUENTIAL PERSONS, WILL GREATLY HELP THE CAUSE OF JUSTICE: IT IS OUR BELIEF THAT NOTHING SHORT OF A JUDICIAL COMMISSION OF ENQUIRY WILL BE ABLE TO SOLVE THE MYSTERY THAT SURROUNDS ALL DEATHS IN DETENTION. BESIDES

ASKING MEMBERS OF YOUR GOVERNMENT FOR SUPPORT, THE SUPPORT OF THE UNITED NATIONS HUMAN RIGHTS COMMITTEE WILL BE WELCOMED. TO DATE NO INQUEST DATE HAS BEEN ANNOUNCED. THE POLICE STATE THAT THEY ARE STILL INVESTIGATING THE CASE AND PREPARING THE NECESSARY DOCUMENTS. AS SUCH, THE PHOTOGRAPHS ARE SUB-JUDICE IN SOUTH AFRICA, AND CANNOT BE EXHIBITED TO THE PUBLIC. I EXPECT THAT THIS WILL NOT AFFECT ANY SUPPORT OUTSIDE SOUTH AFRICA.

TO PEOPLE LIKE US IN SOUTH AFRICA, IT IS ENCOURAGING TO KNOW THAT THERE ARE PEOPLE LIKE YOU WHO CARE FOR US. YOURS SINCERELY,
YUSUF M. HAFEEJEE UNQUOTE.

4. AS REGARDS CASE ITSELF, HAFEEJEE DESCRIBED EVENTS OF AUGUST 3-5 IN DETAIL FOR CONOFF, ALLEGING CONSIDERABLE NUMBER CONFIDENTIAL

CONFIDENTIAL

PAGE 04 DURBAN 00661 111655Z

OF DISCREPANCIES BETWEEN POLICE VERSION (AS PUBLISHED IN LOCAL PRESS) AND FACTS AS HE SAW THEM, E.G. 1) POLICE CLAIM HOUSEN HAFEEJEE WAS TAKEN INTO CUSTODY AT MIDNIGHT AUGUST 4 AND WAS FOUND DEAD FOUR HOURS LATER-YUSUF HAFEEJEE STATES NEIGHBORS HEARD HOUSEN LEAVE FOR WORK MORNING OF AUGUST 3, BUT HE DID NOT COME TO WORK THAT DAY, NOR DID HE KEEP A DINNER ENGAGEMENT WITH A RELATIVE FOR THAT NIGHT; 2) ONE POLICE OFFICIAL TOLD YUSUF THAT HOUSEN WAS FOUND HANGING FROM CELL BARS, ANOTHER OFFICIAL SAID HE WAS HANGING FROM CELL DOOR KNOB-YUSUF, WHO VISITED CELL HOURS AFTER DEATH, SAID BARS WERE 4 1/2-5 FEET FROM GROUND, AND HIS BROTHER WAS OVER 6 FEET TALL, THUS MAKING IT ONLY POSSIBLE FOR HIM TO COMMIT SUICIDE THROUGH COMPLEX CONTORTION; 3) ALTHOUGH STATE PATHOLOGIST TOLD PRESS DEATH WAS "CONSISTENT WITH HANGING" (IMPLYING SUICIDE), YUSUF TOLD CONOFF PATHOLOGIST HAD TOLD HIM KNOTS ON NOOSE (MADE OF HOUSEN'S PANTS) WERE SO TIGHT HE (PATHOLOGIST) COULD NOT LOOSEN THEM, IMPLYING MORE THAN ONE PERSON WOULD HAVE HAD TO TIE THEM-FURTHER, THAT MUSLIMS ARE FORBIDDEN BY KORAN TO COMMIT SUICIDE AND THERE ARE VERY FEW RECORDED CASES AMONG MUSLIMS IN SOUTH AFRICA.

5. WE REQUEST THAT THE DEPARTMENT INFORM THE EMBASSY AND US IN ADVANCE OF ANY PUBLIC ACTIONS IT INTENDS TO TAKE IN THIS MATTER SO WE MAY FOREWARN HAFEEJEE.

6. THIS MESSAGE HAS BEEN CLEARED BY EMBASSY PRETORIA.
FUGIT

UNQUOTE
FUGIT

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DETENTION, DEATHS
Control Number: n/a
Copy: SINGLE
Sent Date: 11-Oct-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977DURBAN00661
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: X2
Errors: N/A
Expiration:
Film Number: D770370-0580
Format: TEL
From: DURBAN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19771076/aaaacmde.tel
Line Count: 166
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: f5222633-c288-dd11-92da-001cc4696bcc
Office: ACTION AF
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 DURBAN 526, 77 DURBAN 540
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 09-Feb-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 971514
Secure: OPEN
Status: NATIVE
Subject: HAFJEJEE DEATH IN DETENTION CASE. FAMILY GIVES PHOTOGRAPHS TO CONGEN
TAGS: PINT, SHUM, SF, (HAFJEJEE, HOosen)
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/f5222633-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009